



PATENTS  
CUSTOMER NO. 29052  
ATTY. DOCKET NO. 23578-0010

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Continuation Reissue Application of:	)	
	)	
Uber, III et al.	)	
	)	Art Unit: 3737
Serial No.: 09/545,582	)	
	)	Examiner: R. Smith
Filed: April 7, 2000	)	
	)	
For: Patient Infusion System for Use	)	
With MRI	)	

**SUPPLEMENTAL REISSUE DECLARATION AND STATEMENT OF ERROR**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

We, Arthur E. Uber, III, Seid Waddell, John Stulen, Jon E. Manley, Salvatore J. Dedola and Gordon C. Newell hereby declare that: our residences, post office addresses and citizenship are as stated below next to our names; we believe that we are the original, first and sole inventors of the subject matter described and claimed in U.S. Application Serial No. 09/545,582, a continuation reissue application of U.S. Reissue Patent No. RE 36,648 ("the '648 patent"), granted on April 11, 2000, which is a reissue patent of the original U.S. Patent No. 5,494,036 ("the '036 patent"), granted on February 27, 1996; and for which a continuation reissue patent is sought on the invention entitled "Patient Infusion System For Use With MRI." We have reviewed and understand the contents of the above-identified continuation reissue application, including the current claims therein. We acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

We each verily believe the '648 reissue patent and the '036 patent to be partly inoperative through error of one or more inventor(s) incorrectly NOT named in the '648 reissue patent and the '036 patent, and that such error arose without any deceptive intention on the part of the inventors/applicants. The inventor Gordon C. Newell was not named as one of the inventors in the '036 patent without any deceptive intention, however, we believe he should be named as one of the inventors in this continuation reissue application. The inventor Salvatore J. Dedola was not named as one of the inventors in the '036 patent without any deceptive intention, however, we believe he should be named as one of the inventors in this continuation reissue application.

Furthermore, we believe the '036 patent to be partly inoperative by reason of overclaiming. Specifically, we claimed more than we had a right to claim by claiming a "communicating link between the system controller and the infusion apparatus control means" in claim 9 of the '036 patent, which was later rejected as unpatentable during prosecution of the '648 patent over the Saini and Neer references of record. For this reason, we each verily believe the '036 patent to be partly inoperative; and all errors specified herein and corrected in this continuation reissue application arose without any deceptive intention on our part.

Therefore, we, the named inventors, are each declarants herein and we each declare that we have no disagreement with the inventorship change in this continuation reissue application; and every error in the patents which were corrected in the present continuation reissue application, and is not covered by the prior declaration submitted in this application, arose without any deceptive intention on the our part. This Supplemental Reissue Declaration and Statement of Error supplements the prior reissue declarations made and filed in this continuation reissue application.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this Supplemental Reissue Declaration is directed.

Full Name of Joint Inventor:

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Full Name of Joint Inventor:

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Full Name of Joint Inventor:

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In re Continuation Reissue Application of  
Uber, III et al.  
09/545,582

Full Name of Joint Inventor:

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In re Continuation Reissue Application of  
Uber, III et al.  
09/545,582

Full Name of Joint Inventor:

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In re Continuation Reissue Application of  
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09/545,582

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**Gordon C. Newell**

Inventor's Signature:

Gordon C. Newell Date: Mar. 3, 2006

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Full Name of Joint Inventor:

**Arthur E. Uber, III**

Inventor's Signature:

Arthur E. Uber, III

Date: March 6, 2006

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Full Name of Joint Inventor:

**John Stulen**

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09/545,582

Full Name of Joint Inventor:

**Salvatore J. Dedola**

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Date: 3/6/06

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Full Name of Joint Inventor:

**Gordon C. Newell**

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Date: \_\_\_\_\_

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09/545,582

Full Name of Joint Inventor:

**Arthur E. Uber, III**

Inventor's Signature: \_\_\_\_\_

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Full Name of Joint Inventor:

**Seid Waddell**

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Full Name of Joint Inventor:

**John Stulen**

Inventor's Signature: \_\_\_\_\_

Date: 3/8/06

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Full Name of Joint Inventor:

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Full Name of Joint Inventor:

**Salvatore J. Dedola**

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Date: \_\_\_\_\_

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Inventor's Signature: \_\_\_\_\_

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**Arthur E. Uber, III**

Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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